

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

TRISTAN LOGAN,  
Plaintiff,

v.

ELAINE CHAO, SECRETARY,  
UNITED STATES DEPARTMENT OF LABOR,  
Defendant.

Civil Action No. 05-10045-GAO

**JOINT MOTION FOR A FINAL EXTENSION OF TIME TO RESPOND TO  
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT DUE TO PLAINTIFF'S  
DEBILITATING ILLNESS AND FAMILY TRAGEDY**

Tristan Logan and the Defendant, The United States Department Labor (the parties"), herein move this Court for a Final Extension of Time for Plaintiff to respond to Defendant's Motion for Summary Judgment due to Plaintiff's Illness and Family Tragedy suffered by the Plaintiff. The parties are seeking a Final Extension to September 23, 2008 due to Plaintiff's Illness, family death and serious injuries in the Plaintiff's immediate family. As grounds for this Motion the parties state as follows:

1. The Plaintiff has a medical history of severe and debilitating chronic diverticulitis.
2. The Plaintiff has recently been incapacitated by his illness, has been unable to work, and is currently undergoing extensive medical treatment for his illness, furthermore:
3. On Saturday, February 23, 2008 Plaintiff's son and foster son were in a car accident in Florida.

4. Plaintiff's foster son was killed in the accident, and Plaintiff's son was seriously injured in the accident.
5. Plaintiff's son is still undergoing medical treatment in Florida, has recently had surgery and is rescheduled for more surgery on September 4, 2008.
6. The Plaintiff recently has been, and currently is, physically incapacitated by his illness, is extremely distraught over his family's tragedy and the up and coming son's surgery and has not in the proper frame of mind to complete his response to defendant's Motion for Summary Judgment by the previously set deadline.
7. The Plaintiff is currently working on his response to Defendant's Motion for Summary Judgment but requires additional time to complete it.

WHEREFORE, based on the Plaintiff's temporary debilitating illness and death and serious injury in the plaintiff's immediate family, the parties herein jointly move this Court for a Final Extension of Time to September 23, 2008 for Plaintiff to complete his response to Defendant's Motion for Summary Judgment.

Respectfully Submitted,

Michael J. Sullivan  
United States Attorney

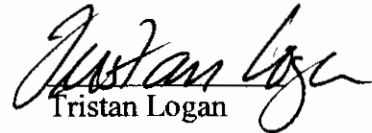
Tristan Logan

/s/ by Tristan Logan  
Rayford A. Farquar  
Assistant U.S. Attorney  
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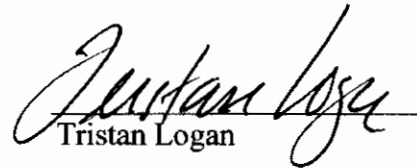
**CERTIFICATION OF SERVICE**

The undersigned certifies that he has served a copy of the foregoing upon defendant's counsel of record, Rayford A. Farquhar, Assistant U.S. Attorney, 1 Courthouse Way, Suite 9200 Boston, MA 02210 by US Mail.

  
Tristan Logan

**LOCAL RULE 7.1 CERTIFICATION**

I, Tristan Logan do hereby state that on September 2,, 2008 I spoke with Rayford A. Farquar, Assistant United States Attorney, and he assented to the filing of this Joint Motion for a Final Extension of Time respond to defendant's Motion for Summary Judgment.

  
Tristan Logan

Dated: September 2, 2008